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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.    | CONFIRMATION NO. |
|--|-------------|----------------------|------------------------|------------------|
| 09/815,490   | 03/23/2001  | George Harry Hoffman | 41556/04800 (RSI1P093) | 5635             |
| 22428  | 7590        | 11/26/2004           | EXAMINER               |                  |
| FOLEY AND LARDNER<br>SUITE 500<br>3000 K STREET NW<br>WASHINGTON, DC 20007 |             |                      | ZEENDER, FLORIAN M     |                  |
|  |             |                      | ART UNIT               | PAPER NUMBER     |
|  |             |                      | 3627                   |                  |

DATE MAILED: 11/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/815,490

**Applicant(s)**

HOFFMAN ET AL.

**Examiner**

F. Ryan Zeender

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) 1-10, 15-20, 22, 23, 25-28 and 30-35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-14, 21, 24, 29 and 36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/19/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

Claims 11-15, 21, 24, 29, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shavit et al. '156 in view of Duffy et al. '610.

Shavit et al. disclose, or inherently teach, the limitations of the claims including: a system for navigating a user in a network-based supply chain management interface; use of identifiers for stores, suppliers, and distributors (See for example Col. 10, lines 1-15); means for receiving a request including an identifier from a user (See for example, Col. 9, lines 43+); means for identifying a type of user (See for example, Col. 9, lines 52-58); means for receiving a request with parameters from a distributor/supplier and means for extracting information (See for example Col. 13, lines 10-50); **the system database including daily updated contract information (See for example Col. 11, lines 22-35)**; identifying a contract (See for example Col. 11, lines 22-35); receiving bid data (See for example Col. 13, and Col. 15 lines 61+); and means for calculating a projected parameter amount (i.e., forecasting; See for example Col. 7, line 19).

Shavit et al. lack the specific teaching of displaying a different web page for a store, a distributor, or a supplier; and further lacks a means for entering a query in a search field.

Duffy et al. teach a similar supply chain management system whereby different web pages (See for example paragraph 0045, 0066, 0067) are used to display different information (i.e., different templates) for each of suppliers and buyers; and a search engine is used to search for items (See for example paragraph 0147).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Shavit et al. to include displaying different web pages different members of the supply chain, and a means for entering a query in a search field; in view of Duffy et al., in order to “communicate” with user computers (See Duffy et al., paragraph 0045) and to receive information relevant to a search criteria (See Duffy et al., paragraph 0147).

### ***Response to Arguments***

Applicant's arguments filed 8/24/2004 have been fully considered but they are not persuasive.

The applicant argues that Shavit et al. do not disclose the identification of a user as a store, distributor, or supplier. This argument is not persuasive in that Shavit et al. disclose that the system maintains security profiles for every subscriber (i.e., supplier, distributor, or buyer; see Col. 6, lines 9-14) and the system consults those profiles to validate attempted access. It is therefore inherent that there is an identification of the user as a store (i.e., buyer), distributor, or supplier.

The applicant further argues that Shavit et al. do not teach a database whereby contract information is updated at least every other day. The limitation is clearly taught by Shavit et al., for example in Col. 11, lines 21-35.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Ryan Zeender whose telephone number is (703) 308-8351. The examiner can normally be reached on Monday-Friday, 8am-5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Olszewski can be reached on (703) 308-5183. The receptionist's phone number for the Technology center is (703) 308-1113.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9327 for after-final communications.

F. Zeender  
Primary Examiner, A.U. 3627  
November 23, 2004.

 11/23/04  
F. RYAN ZEENDER  
PRIMARY EXAMINER